

LINCOLN PLANNING BOARD

SEPTEMBER 24, 2014

APPROVED

The regular meeting of the Planning Board was held on Wednesday, September 24, 2014, at the Lincoln Town Hall, 100 Old River Road, Lincoln, Rhode Island.

Chairman Bostic called the meeting to order at 7:00 p.m. The following members were present: Kenneth Bostic, Gerald Olean, John Hunt, Timothy Griffin, Michael Reilly, William Murphy and Jeffrey Delgrande. Also in attendance were Town Planner Al Ranaldi, Town Engineer Leslie Quish and Town Solicitor Anthony DeSisto. Russell Hervieux kept the minutes.

Chairman Bostic advised that seven members were present; have quorum.

CONSENT AGENDA

Chairman Bostic reminded members that the consent agenda has no zoning applications and only staff reports. A consent agenda is normally voted on in total unless a member motions to remove an item.

Motion was made by member Olean to accept the consent agenda as

presented was seconded by member Reilly. Motion was approved by all members present.

MINOR SUBDIVISION REVIEW

a. Smith Farm Acres Subdivision AP 22 Lot 108 Preliminary Plan Joyce Smith 679 Great Road Discussion/Approval

Mr. Ranaldi stated that this application represents the subdivision of one lot into five lots. This subdivision was predetermined based on a 1989 agreement that the Town had with the owners of the property. The Town purchased the development rights and the property owner would retain and be able to subdivide this section of the property into five lots. The Town Solicitor and Town Planner have read all the pertinent documents and found everything in order. The Boards packets include what the entire parcel looks like prior to this subdivision. The section of the property in question is noted a parcel "B". Parcel B is 9.5 acres on the northwestern side of the property along Dexter Rock Road. The applicant has also supplied the wetlands report that shows that the stream that runs along two of the lots does require a 100' riverbank wetland buffer. The wetland and buffer are shown on the plans along with the buildable area of each proposed lot. All of the proposed lots meet the RA-40 zoning regulations. The TRC recommends approval with the condition that granite bounds be installed to delineate the new property boundaries.

Chairman Bostic raised a concern that there would be no public hearing with this application. Town Solicitor DeSisto stated that according to State Law section 45-23.8 a minor subdivision that has no street creation, variances and under six lots does not require a public hearing.

Member Olean made a motion to accept the TRC report as presented was seconded by member Hunt. Motion was approved by all members present.

b. 514 River Road AP 21 Lot 61 Pre-application

Lee Blais River Road Discussion

Mr. Ranaldi stated that this application is before the Board for a pre-application discussion. There are no time frames under the subdivision regulations for this type of discussion. There is also no vote required of the Board. This is just a review of the proposed application and letting the applicant know of any concerns the Board might have. The applicant has one large lot containing 2.35 acres of land with approximately 580' of frontage along River Road. There is a considerable difference of elevation between the public road and the flat section of land to develop a home. This property has one existing home on it. The driveway for this home goes across the proposed lots to lessen the slope. This plan did receive an approval for a subdivision in 1993 for four lots. The owner in 2000 merged the lots into one lot. The plan as shown would be able to qualify for master

plan approval because master plan does not require full engineering. However at preliminary plan full engineering would have to be shown including access to the public road which would be difficult for at least two of the lots. Section 5 number 5 of the land development regulations states that “a requirement of a finding for a subdivision is that all proposed land development and all subdivision lots shall have adequate and permanent physical access to a public street. Lot frontage on a public street without physical access shall not be considered in compliance with this requirement.” Chairman Bostic asked if this applicant is planning on bringing this application forward at the master plan level. Mr. Ranaldi stated that he did not believe so.

Lee Blais, applicant, wanted to explain his intentions with this lot. Mr. Blais stated that this subdivision is no different than the subdivision that was approved in 1993. Mr. Blais purchased the property in 2000 and merged the lots into one lot. He has been advised that the highest and best use of the property is the original four lot configuration. The original subdivision had an easement across the properties for utilities and access. There is currently a gas line in that easement. Mr. Blais believes whoever proposes to subdivide this property would follow that same plan. Member Olean stated that he believes the TRC has covered the concerns for a pre-application. The Board does not want to discuss how to get utilities to the lots. Mr. Blais felt the Board would want to know the history of this property. This property was subdivided by a previous

Planning Board. The regulations have not changed since that point, according to Mr. Blais. Mr. Blais stated that someone will bring this plan before this Board at some point in the future. Member Reilly reminded Mr. Blais that whatever was approved in 1993 was eliminated when the lots were merged back together. Mr. Blais respectfully disagreed. Member Hunt reminded Mr. Blais that just because this plan was approve in the past does not necessarily mean it would be approved today.

Member Olean asked Mr. Ranaldi the status of the agenda for next month's meeting. Mr. Ranaldi stated that there are no items on the agenda for next month. Therefore there will not be a meeting in October.

Motion made by member Olean to adjourn and was seconded at 7:22 pm by member Griffin. Motion was approved by all members present.

Respectfully submitted,

Russell Hervieux